

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION NO. 3098 OF 2005

IN

SUIT NO. 1861 OF 2002

MR. DHIRAJLAL R. CHHEDA ... PLAINTIFF TO
COUNTER CLAIM.

VS.

RAISHI S. CHHEDA & ORS. ... DEFENDANTS TO
COUNTER CLAIM.

MR. Y.P.YADAV (ORIG.DEFT.) IN SUPPORT.

MR. J.G.SHUKLA - RESPONDENT (ORIG.PLTFFS.) TO SHOW
CAUSE.

CORAM : S.K.Shah, J.
DATE : February 2, 2006.

P.C. :

1. This notice of motion is taken out for passing the Judgment in terms of the Counter Claim against the first defendant, under Rule 103 of the High Court O.S. Side Rules, as the Plaintiff failed to file reply to the counterclaim. The learned Counsel for the Plaintiff submits that since the Chamber Summons for amendment of the written statement, taken out by the defendant was pending, he could not file the Written Staement/Reply.

2. As the Chamber Summons has been restored to file, this notice of motion is disposed of with no Orders as to costs.

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(S.K.Shah, J.)